

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**DANIEL M. MALONE,**

**Defendant.**

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**8:12CR190**

**ORDER**

This matter is before the court on the oral motion of defendant Daniel M. Malone (Malone) for an extension of the pretrial motion deadline. The motion was made during the arraignment on the Indictment on July 18, 2012. The government had no objection to the motion. Malone acknowledged the additional time needed for his motion would be excluded under the calculations under the Speedy Trial Act. The oral motion was granted.

**IT IS ORDERED:**

1. Malone's motion for an extension of time to file pretrial motions is granted. Malone shall have **to on or before September 17, 2012**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from July 18, 2012, and September 17, 2012**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of July, 2012.

BY THE COURT:

s/Thomas D. Thalken  
United States Magistrate Judge